

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Elisabeth Cleveland,

Case No.: 20-CV-1906 (WMW/KMM)

Plaintiff,

vs.

**DEFENDANT WHIRLPOOL
CORPORATION'S MOTION TO
DISMISS**

Whirlpool Corporation,

Defendant.

PLEASE TAKE NOTICE that Defendant Whirlpool Corporation (“Whirlpool”) responds to Plaintiff Elisabeth Cleveland’s Complaint by motion under Federal Rule of Civil Procedure 12(b)(6), and Whirlpool moves the Court for an order dismissing the Complaint in its entirety and with prejudice for failure to state a claim upon which relief can be granted. Whirlpool’s motion is based upon all of the pleadings, declarations, and memoranda of law to be filed pursuant to applicable rules, as well as arguments of counsel and all files herein.

Dated: October 29, 2020

By: s/ Thomas H. Boyd

WINTHROP & WEINSTINE, P.A.

Thomas H. Boyd, #0200517

Kyle R. Kroll, #0398433

Mary S. Riverso, #0400224

225 South Sixth Street, Suite 3500

Minneapolis, MN 55402

(612) 604-6400

tboyd@winthrop.com

kkroll@winthrop.com

mriverso@winthrop.com

--and--

WHEELER TRIGG O'DONNELL LLP

Galen D. Bellamy (*pro hac vice pending*)

Andrew M. Unthank (*pro hac vice pending*)

370 Seventeenth Street, Suite 4500

Denver, CO 80202

(303) 244-1800

bellamy@wtotrial.com

unthank@wtotrial.com

*Attorneys for Defendant,
Whirlpool Corporation*

20587127v2